
Appeal Decisions

Site visit made on 3 June 2025

by **F P Tinsley MA (Hons) MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2025

Appeal A Ref: APP/L5240/W/24/3353863

Pavement outside 8 – 52 Boxpark, 99 George Street, Croydon, London CR0 1LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Croydon.
 - The application reference is Ref 24/02645/FUL.
 - The development proposed described as 'Installation of "Pulse Smart Hub" with integrated digital screens'
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Appeal B Ref: APP/L5240/H/24/3353865

Pavement outside 8 – 52 Boxpark, 99 George Street, Croydon London CR0 1LD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (Advertising Regulations) against a refusal to grant express consent.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against the decision of the Council of the London Borough of Croydon.
 - The application reference is Ref 24/02646/ADV.
 - The development proposed described as '2x (back-to-back) digital LED display on Pulse Smart Hub" digital screens.
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Decisions

Appeal A Ref: APP/L5240/W/24/3353863

1. The Appeal is dismissed.

Appeal B Ref: APP/L5240/H/24/3353865

2. The Appeal is dismissed.

Preliminary Matters

3. Both appeals relate to the same proposal on the same site. *Appeal A* concerns the refusal of planning permission for the erection of a Pulse Smart Hub, while *Appeal B* concerns the refusal of express consent for digital advertisements on the same Pulse Smart Hub. Each appeal has been assessed on its own merits, but as they raise similar issues, both decisions have been combined into a single decision letter.
4. The Advertisements Regulations specify that control may only be exercised in the interests of amenity and public safety. When assessing the advertisement appeal, development plan policies are not decisive, but I have considered them in relation to the appeal against the refusal of planning permission.

Main Issues

5. The main issues are, in *Appeal A*, the effect of the proposed development on:

- the character and appearance of the area, including the surrounding townscape, street scene and public realm; and,
- pedestrian and highway safety

In *Appeal B*, the effect of the proposed advertisements on:

- public safety, particularly pedestrian and highway safety

Reasons

Character & Appearance

6. The site is located on the western approach to the main entrance of East Croydon Station on George Street, a busy town centre location and an area of high public transport activity due to the bus, tram and train interchange.
7. The proposed site is on the pavement midway between the corner of George Street and Wellesley Road, where two signal-controlled crossings facilitate pedestrian movement and manage cycles, vehicular traffic and trams. The pavement in this section is bordered by the Boypark building, which includes its main entrance, several kiosks facing the pavement and cycle parking stands. On the southern side, there are bins, information boards, electronic cabinets, and overhead wire columns. Further away is the busy East Croydon tram stop. The area contains various signs related to both commercial and non-commercial activity, including a large digital advertising screen positioned high on the George Street elevation of the Boypark building extending along the length of the building elevation. As a result, the street scene is highly active and cluttered.
8. Although the pavement is wide, it slopes, including steps into the Boypark building, as well as several sections of railing on its southern side. The introduction of a large piece of street furniture, including illumination and digital display, within a section of street already dominated by signage and other structures, would contribute further to a cluttered street scene. This would negatively affect the attractiveness and sense of space within the public realm, diminishing both the clarity and visual quality of the street in a location used by a significant number of people.
9. Four previous appeal decisions have been brought to my attention, and I recognise the importance of ensuring consistency in decision-making. The first linked appeal decision¹, from 2018, granted prior approval for a telephone kiosk on this site, having considered its siting and appearance. However, prior approval is distinct from an application for planning permission. In this case, I have assessed the planning application with reference to the development plan, which includes the London Plan 2021, alongside other material considerations. Additionally, this proposal also seeks express consent for advertisements.

¹ APP/L5240/W/18/3195089 & APP/L5240/W/18/3195071

10. Moreover, the Pulse Smart Hub would be substantially taller than a telephone kiosk, would be of solid appearance, and would incorporate large digital panels for advertising on both faces. The design is quite different from a glazed phone box. While both proposals share the same location, the significant passage of time means that the development context may also have changed materially. I have no evidence before me in this regard. While I have had regard to this decision, it does not alter conclusions with regard to the proposal before me.
11. Two further linked appeals have also been brought to my attention. These 2023 cases² dismissed a proposal for a BT Street Hub, that shared many characteristics with the current proposal. The 2023 proposal also sought express consent for advertisements. It was located to the west of the current site, in a similar position along the same stretch of pavement. The Inspector in that case concluded that the proposal would harm the appearance and visual amenity of the area, conflicting with policy requirements for development to contribute positively to the public realm, landscape, and townscape. I have seen no evidence in the current proposal that would justify reaching a different conclusion from that reached by the previous Inspector.

Therefore, the proposal would negatively impact visual amenity and conflict with London Plan 2021 (London Plan) Policies D8 which amongst other things, requires that the public realm is well-designed, and that consideration should be given to the location of street furniture to complement the use and function of the space; and that applications which seek to introduce unnecessary street furniture should be refused.

Public Safety - Pedestrian and Highway Safety

12. The footpath in this location is wide to accommodate significant pedestrian flows in the area, despite the presence of street furniture and nearby facilities. The footpath is of sufficient size to accommodate the proposed smart hub without reducing its width to the extent that it would hinder pedestrian movement. In reaching this conclusion, I have taken into account the previous planning permission for a telephone kiosk, which would likely have constrained the pavement width to a greater degree than the current proposal.
13. Beyond the immediate pavement, this is a busy location with frequent movement of buses, trams, trains, cyclists, and pedestrians. Navigating this environment presents challenges to pedestrians due to the volume of activity, as well as the existing signage and advertisements previously noted. Significantly pedestrian barriers are not in place for the entirety of the length of the pavement which would act to prevent pedestrians crossing the tram lines at non designated locations.
14. The nature of this location demands concentration and focus for safe navigation. The proposed installation, which would be significantly closer to the East Croydon tram stop than the previously referenced BT Street Hub, would negatively impact pedestrian sightlines at a point where trams are moving in both directions. It presents a considerable safety risk due to both distraction and the physical presence of the structure acting as a potential visual barrier.

² APP/L5240/W/21/3287446 & APP/L5240/H/21/3287447

15. While I acknowledge the existing street furniture and signage, which already contribute to navigational challenges, the proposal would further aggravate an already demanding environment for pedestrians.
16. The proposed structure would negatively impact safety due to its proximity to the tram lines, and the risk of obstruction of the sightlines of tram drivers. The scale and solidity of the structure would also impede visibility for pedestrians crossing the tram lines outside designated crossing points, which is a characteristic of this location.
17. Additionally, the advertisements on the structure due to their digitised nature and alternation could be distracting for tram drivers, particularly as they would be positioned directly within their line of sight when travelling along the section of track approaching the busy tram stop and signalised junction with Dingwall Road. In contrast, other large digital advertisements, such as those on the front elevation of Boxpark, are less likely to cause distraction due to their oblique angle when viewed by tram drivers.
18. While I note that the inspector in the 2023 case did not identify driver distraction as an issue in that appeal, this proposal is closer to the tram stop, which increases the safety risk in this regard.
19. While I have had regard to the 2018 appeal decision that granted prior approval for a phone kiosk on this site, that structure would have been lower in height and exhibited less solidity than the proposed street hub. The 2018 decision is distinguishable from this proposal.
20. The proposal would have a harmful affect on public safety, particularly pedestrian and highway safety. It would conflict with paragraph 117 of the National Planning Policy Framework (the Framework), which states that development should minimise potential conflicts between pedestrians, cyclists, and vehicles. Additionally, the proposal is inconsistent with London Plan Policy T2 and Local Plan Policy DM29, which amongst other things aim to protect the safety of people using roads and footways.

Other Matters

21. The appellant has highlighted various features of the Pulse Smart Hub that they say would provide significant public benefits. All these amenities would be available to the local community and wider public at no cost.
22. While I acknowledge that these features offer some public benefit and that the proposal aligns with some policies in the London Plan, including Policy D11, Policy S1, and Policy HC6, on promotion of digital connectivity, infrastructure development, safety, social infrastructure, and supporting the nighttime economy. However, paying regard to the evidence, the extent of the benefits is not sufficient to outweigh my conclusions on the main issues identified above.

Conclusion

23. For the reasons set out above, the proposed development would harm the character and appearance of the area, including the surrounding townscape, street scene and public realm. It would also harm public safety, particularly pedestrian and highway safety.

24. Appeal A is in conflict with the development plan when considered as a whole, and there are no material considerations that would justify a decision contrary to the plan. Appeal B would be detrimental to both amenity and public safety.
25. Therefore, having considered all matters raised, both appeals are dismissed.

F P Tinsley

INSPECTOR